



# **COTTONWOOD HEIGHTS**

## **PLANNING COMMISSION STAFF REPORT**

**MARCH 04, 2009**



## COTTONWOOD HEIGHTS PLANNING COMMISSION AGENDA

Notice is hereby given that the Cottonwood Heights Planning Commission will hold a **Regularly Scheduled Meeting** beginning at **7:00 p.m. on Wednesday, March 04, 2009**, in the Cottonwood Heights City Council Chamber located at 1265 East Fort Union Blvd., Suite 250 (work session) and Suite 300 (business meeting), Cottonwood Heights, Utah.

**5:45 p.m. WORK SESSION (suite 250)**

**7:00 p.m. BUSINESS MEETING (suite 300)**

**1.0 WELCOME/ACKNOWLEDGEMENTS – Chairman**

**2.0 CITIZEN COMMENTS**

*(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting)*

**3.0 PUBLIC HEARINGS**

**3.1** The Planning Commission will hold a public hearing to receive comments and take action on a request by Dan Nixon for a conditional use permit for a mixed use development containing self-storage, office and retail uses. This property is located at 6723 South 1300 East, Zoned MU.

**3.2** The Planning Commission will hold a public hearing and receive comments on a city initiated general plan amendment on the west Highland Frontage Road from 6630 S. to 6850 S.

**4.0 ACTION ITEMS**

**4.1** The Planning Commission take action on a request by Dan Nixon for a conditional use permit for a mixed use development containing self-storage, office and retail uses. This property is located at 6723 South 1300 East, Zoned MU.

**4.2** The Planning Commission will update their meeting schedule for 2009.

**5.0 DISCUSSION ITEMS**

**5.1** The Planning Commission will discuss an application for a text amendment to the O-R-D zone. The applicant Steve Hopkins, is proposing to modify the maximum allowed height for structures in the O-R-D zone.

**5.2**

The Planning Commission will continue discussion on a staff proposal to commence a City initiated zone change from MU (Mixed Use) to R-1-6 (Single Family Residential) or R-2-8 (Duel Residential Family). This property is located at 7350 South Wasatch Blvd and is also known as Lot 2 of the Wasatch Gates Minor Subdivision.

**6.0**

**PLANNING DIRECTOR'S REPORT**

**7.0 APPROVAL OF MINUTES**

**7.1** February 04, 2009

**8.0 ADJOURNMENT**

*On Thursday, February 26, 2009, at 2:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Planning Department. A copy was also faxed or emailed to the Salt Lake County Council, Holladay City, Midvale City, Murray City, and Sandy City pursuant to Section 10-9-103.5 of the Utah Code. The agenda was also posted on the city internet website at [www.cottonwoodheights.utah.gov](http://www.cottonwoodheights.utah.gov)*

Morgan Brim  
Planner



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## Item 2 – CITIZEN COMMENT

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Issue: \_\_\_\_\_

Comments:

Issue: \_\_\_\_\_

Comments:

Issue: \_\_\_\_\_

Comments:



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## Agenda Item 3.1 Public Hearing – Conditional Use Staff Report – Cubes Self Storage (6723 South 1300 East)

File Name:	Cubes Self Storage
Application Received:	January 23, 2009
Public Hearing Date:	March 04, 2009
Parcel Number:	2220430005, 2220430006 and 2220430007
Location:	6723 South 1300 East
Development Area:	1.64 Acres
Request:	Conditional Use Permit
Owner/Applicant:	S.L.C. Development, LLC
Agent:	Daniel Nixon
Staff:	Morgan Brim, Planner

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### **Purpose of Staff Report**

The conditional use ordinance adopted by the city of Cottonwood Heights (the “City”) requires City staff to prepare a written report of findings concerning any conditional use application. This report provides information considered to be preliminary regarding the development of the above noted parcel of land. Further information will be provided at the Planning Commission meeting through public testimony and oral reports. For reference, the review process applicable to this application is available in the MU Mixed Use Zoning Ordinance (chapter 19.36), Off-Street Parking Ordinance (19.80), Signs Ordinance (19.82) Conditional Use Ordinance (chapter 19.84), and the Gateway Overlay District (19.49).

### **Pertinent Issues Regarding this Development Application**

#### **Applicant’s Request**

The applicant is requesting a conditional use permit for the development of two buildings for a mixed use development containing a primary use of self storage and two secondary uses of retail and office space.

#### **Project Description**

The project is zoned MU (Mixed Use) and is 1.64 acres in size. The Applicant’s are proposing two buildings side by side. Building A is located on the north side of the parcel. Building A contains 98,008 (98.2%) square feet for the primary use of self-storage and an office for its faculty. There is also 1,742 square feet (1.7% of the building and 6.7% of the main floor) of a secondary retail use on the main floor located in the southwest corner of building. Building A contains three levels above grade and one basement level. The basement level, level two and three are used entirely for self-storage.

Building B is located just south of building A. Building B contains 2,600 square feet of retail space. The MU zone requires a minimum of 1,500 square feet or 10% of the ground floor area whichever is greater to be devoted to a secondary use that is not related to self-storage. The applicants are proposing to use the square footage of building B towards this requirement for building A. Building B contains 6.7% of the ground floor area devoted to a secondary use. Adding the area of building B would increase area devoted to a secondary use to 16.7%. The ARC recommended approval of this request with the condition that the applicant keeps the proposed retail use for building A located in the front of the building. Also the front façade needs to look like a retail or office building.



### Neighborhood/Public Position on the Request

On November 5, 2008 the Planning Commission held a public hearing for a zone change from NC (Neighborhood Commercial) to MU (Mixed Use). The applicants made it clear to staff and the Planning Commission of their future intentions to build a mixed-use self-storage facility at the proposed location. The neighborhood was clearly against this zone change. Since then, the applicants have met with the neighborhood and have presented to them their project and business model. Also many of the neighbors have visited the applicant's storage facilities. Many of the neighbors are now in favor of this project and have written letters in support of it. A second neighborhood meeting is scheduled for this Friday, February 27, 2009 at 4:00 PM. Staff will update the Commission of the out come of this meeting on March 4, 2009. Letters from residents and business owners are attached.

## **Staff Review and Position on the Request**

### Application

The applicant has submitted a complete application and paid the applicable fees.

### Site Layout

The site is laid out in three separate adjacent parcels located on the east side of 1300 East. The applicant is proposing to consolidate the three lots into one 1.64 acre lot. The dimensions of this parcel will range from 298 feet at its greatest depth and 300 feet at its greatest width. The coverage restriction in this zone is 65% including all structures. Actual coverage by proposed structures is 40.4%. Parking and sidewalks cover an additional 41.3% of the lot, leaving 18% for landscaping.

The site is bordered on the north by the Jamestown Office Condo Subdivision, on the southwest by a .18 acre parcel zoned NC (Neighborhood Commercial) and to the southeast by the rear yards of two residential properties zoned R-1-8 (Single Family Residential). To the East, The property abuts the rear yards of three other residential properties zoned R-1-8 (Single Family Residential) and on the west by 1300 East. Directly across 1300 East from the site is located an LDS church and various office buildings.

### Landscaping and Screening/Fencing

The proposed landscape plan with 18% landscaping coverage meets the minimum 15% landscaping coverage of the MU zone. Landscaping in this plan is accomplished via the addition of new trees, shrubs, perennials, grass and other seed mixes as well as other decorative elements such as accent boulders. Two large existing trees will be preserved. See the attached Landscaping Plan.

A six foot high pre-cast concrete post and panel wall will replace all existing fencing and walls on the south and east property lines. A six foot vinyl fence will remain on the north property line. This fence is separating the subject property and the existing Jamestown Office Condo Subdivision.

Trash will be enclosed by an eight foot high split face/precision concrete masonry structure and will be covered by a metal roof in order to match the proposed buildings. The trash enclosure is required to be constructed with steel gates for maintenance purposes.

### Architecture

The applicants have met with the Architecture Review Commission on 11/06/2008, 11/20/2008 and finally on 1/08/2009 where they received a recommendation of approval. Elevations given to staff reflect the city's aspiration for quality architecture throughout the city. Height, bulk, and siting of the structures are in line with city requirements. Materials for the building are smooth and corrugated metals panels with smooth and split face block on the main level. The MU zone requires at least 15% transparency on all floors. The main floor of the building containing self storage has about 49% transparency, the second floor has about 16% and the third floor has about 39%. The south retail building is only one story and contains about 24% transparency. The ARC has reviewed the architecture and landscape plans and has made a recommendation for approval which is included at in another section of this report.

### Lighting

The lighting plan provided is consistent with city requirements for creating appropriate lighting within the development and shielding neighboring properties from light spillover. There are 27 exterior lights proposed on the exterior of the buildings. The storage facility has 20 and the retail building has seven. All of the proposed lights but 12 will be covered by canopy. Only four lights will be seen

from the public way. Three are located on the southern and northern sides of the buildings and only one is proposed for the front façade. All lighting is required to be full cut off and is not allowed to spill over into adjacent residential parcels, as is evidenced by a photometric plan in the file.

### Parking

The applicant is showing the minimum amount of parking on the property for the proposed amount of self storage facility, office and retail space. 20 parking spaces are required and 20 spaces are provided by the applicant. The applicant also provides the minimum required two handicapped accessible stalls.

### Traffic and Traffic Access

Three access points are proposed for this property. One access is proposed for the northern end of the property, one for the middle and another to the southern end. The north and middle access points are proposed as ingress and egress access. The southern access point is proposed for a right turn egress only. The applicant is also proposing angled parking in front of both structures which will funnel traffic flow in a southerly direction. In order to limit the number of access points in the future a shared access easement should be required on the south most proposed access point. This would allow the adjacent property owner to the south access to his/her property without having to build another access point.

Exterior roll-up doors can be accessed by a 20 wide one way vehicular route. This route extends from the northern access point around the north side of the property to the rear of the building A then it circles around the rear and heads west between building B and A and connects again to the front drive way and parking lot. A wrought iron lift gate is located at both the entrance and exit to this route.

At staffs' request two accessible pedestrian pathways are proposed from the public way to the entrance of the both buildings. The first pathway starts from the sidewalk fronting on 1300 East and extends to the sidewalk of the southern retail building. The second pathway extends from building B and connects to the front sidewalk of building A. All pedestrian pathways through the parking lot should be stamped colored concrete to help facilitate safe pedestrian movement and to slow automobile traffic

Staff has also requested the dedication of property for a four foot bike lane on 1300 East and to increase the width of the existing sidewalk from four feet to six feet. This is shown in the attached Site Plan. In addition, the City's traffic consultant has reviewed the development for parking and access issues. He will be in attendance at the meeting to give an oral presentation on his findings for the Planning Commission. See the attached Site Plan.

### Signage

Each business will be allowed one sign on the front façade of the building that they're located in. The MU zone limits the number of signs to no more than one sign for each separate principal use for each unit, suite or other division of the building whose business faced fronts on a public street. Also the allowed sign-able area is limited to no more than 10% of the business façade frontage for each associated principal use. No sign will be allowed more than six feet in overall height.

One monument sign will be allowed on 1300 East. Monument signs in the MU zone are limited to 48 square feet and six feet in height. The applicant is proposing a monument sign in the landscape buffer north of the middle access point.

### Zoning

The zoning for the subject property is MU. Recently the City Council has approved an amendment to the MU zone that includes the addition of mixed-use self-storage as a conditional use. In addition the Council also adopted land use controls to help mitigate potential detrimental effects caused by self-storage. As described throughout this report the applicants have met the criteria of the MU zone. These are as follows:

1. The ARC must review all applications for mixed-use self-storage facilities. The ARC will specifically look at the consistency and quality of the overall architecture, screening/buffering and landscaping of the project. The applicant must provide the following for the ARC to review:
  - a. Detailed elevations
  - b. Color/material boards
  - c. Details of all exterior building materials.
  - d. Details of all screening and buffering.
  - e. A colored landscape plan showing all existing and proposed vegetation.
2. In order to aesthetically mask the principle use of self storage the appearance of all building facades shall resemble an office, residential and/or retail building through the use of doors, windows, awnings, and other appropriate building elements as approved by the ARC.
3. A minimum of 1,500 square feet or 10% of the ground floor area of the self storage principal use of the facility, whichever is greater, shall be devoted to at least one additional principal use in each building housing a self-storage use. The secondary use must be distinct from, unrelated to and not an accessory of the self storage use of the facility. This requires the building to not only mask the self storage function but to actually function as a multi-use building.
4. All buildings must have a minimum of 15% transparency on all floors, which shall consist of functioning windows that provide visibility into a room from the public right-of-way.
5. Buildings that are greater than one story shall be designed to have the appearance and function of a multi-story building through the use of windows, doors, awnings, and other appropriate building elements as approved by the ARC.
6. The façades of buildings that are visible from the public right away shall be designed with ample bulk and massing to adequately mitigate potential aesthetic impacts of the self storage primary use, as approved by the ARC.
7. All external unit doors must be screened from neighboring land uses to an extent determined appropriate by the ARC.
8. No resident manager apartment shall be allowed unless at least 50% of the secondary uses are residential.
9. Storage of outside vehicles, boats, motor homes, TVs or any other material or equipment shall not be allowed at or around any mixed-use self-storage facility.
10. Commercial moving trucks shall be prohibited at the facility. The facility shall be allowed to maintain and operate no more than two private moving trucks at the facility. These trucks are only available to the renters of units and faculty within the facility only. Moving trucks shall be stored out of sight of the public way.

## **Recommendation**

Based upon the information above, staff is recommending that the planning commission approve the conditional use with the following conditions:

## **Proposed Conditions for the applicant's request for conditional use:**

### **Planning:**

1. All construction shall take place in accordance with the approved plans for this development. Any changes to the plans will be required to receive the appropriate approvals.
2. All landscaping in the development shall be completed before final certificate of occupancy is granted (19.80.080(G)).
3. All pedestrian walkways shall be lighted (19.80.090(3)).
4. All lights in the development shall be full-cut off (19.80.090(4)).
5. Developer shall provide stamped and colored walkways as indicated in plans.
6. Trees to be preserved will be marked before any grading or demolition.
7. No new tree in the development shall be less than two inch caliper at the time of planting.
8. Construction for the project shall be limited to the hours between 7:00 AM and 8:00 PM daily to preserve the integrity of the adjacent neighborhoods.
9. Before any building permits shall be approved a construction mitigation plan complete with a SWPPP must be approved by staff.
10. The use of the property shall be limited to self storage, office, business, and/or professional, medical, optical or dental offices or laboratories, and general retail.
11. Street lighting will be provided by developer along city streets as indicated in the plans, using the City's standard gateway street lights spaced at 200 foot intervals.
12. A bond shall be placed for all landscaping, screening and fencing requirement as well as all public improvement before a final approval and building are granted.
13. A dedication plat showing the following shall be required before a certificated of occupancy is granted:
  - a. The dedication of right of way for the required four foot bike lane and six foot sidewalk; and,
  - b. The shared access point and cross access agreement for the property immediately to the south of this project.

### **Fire Department:**

The fire official has reviewed the plans and has the following comments:

1. This project requires a total of 4 hydrants and must be installed prior to the delivery of combustible materials to the job site. Siting of hydrants as indicated on reviewed plat.
2. Verification of hydrant fire flow is required.
3. Fire flow of at least 3,500 G.P.M. is required.
4. Automatic fire sprinkler plans must be submitted to UFA.
5. Approved Knox Lock Boxes and fire department connection Knox style locking caps are required.
6. "Fire Lane" signs are required.
7. Building code officials will check the travel distance between the exits.

### **Architectural Review Commission:**

The applicants have met three times with the ARC on August 8, 2008, November 6, 2008 and received approval of there plans on January 8, 2009. The current plans reflect all the requests made by the ARC. Throughout the meetings with the ARC, many different design issues were discussed and, as a result, the current plans have been changed to follow the ARC's recommendations. Although the recommendations are already accounted for in the plans, for the records sake, I am

listing all of the ARC recommendations here. As they are part of the record in the plans already, they do not need to be referenced in a motion on this item.

1. All trees must have a minimum of a 2" caliper.
2. Increase the number of trees on the property lines adjacent to the residential lots.
3. Increase the amount of windows on the front façade.
4. The front façade of building A needs to look like a retail or office building.
5. The retail space in building A needs to locate in the front of the building.
6. Breakup the rear façade with obscured glass windows, paneling, canopies and other architectural elements.
7. Meet with the neighborhoods to determine appropriate screening measures.

### **Standards of Review for the Application**

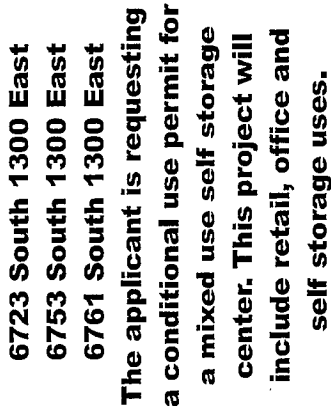
Based on statute (either state and/or municipal) the following standards apply when reviewing conditional uses in the city of Cottonwood Heights:

19.36 – Mixed Use  
19.80 – Off-street parking requirements  
19.82 – Signs  
19.84 – Conditional Uses  
19.49 – Gateway Overlay District  
**UTAH CODE ANN. §10-9a**

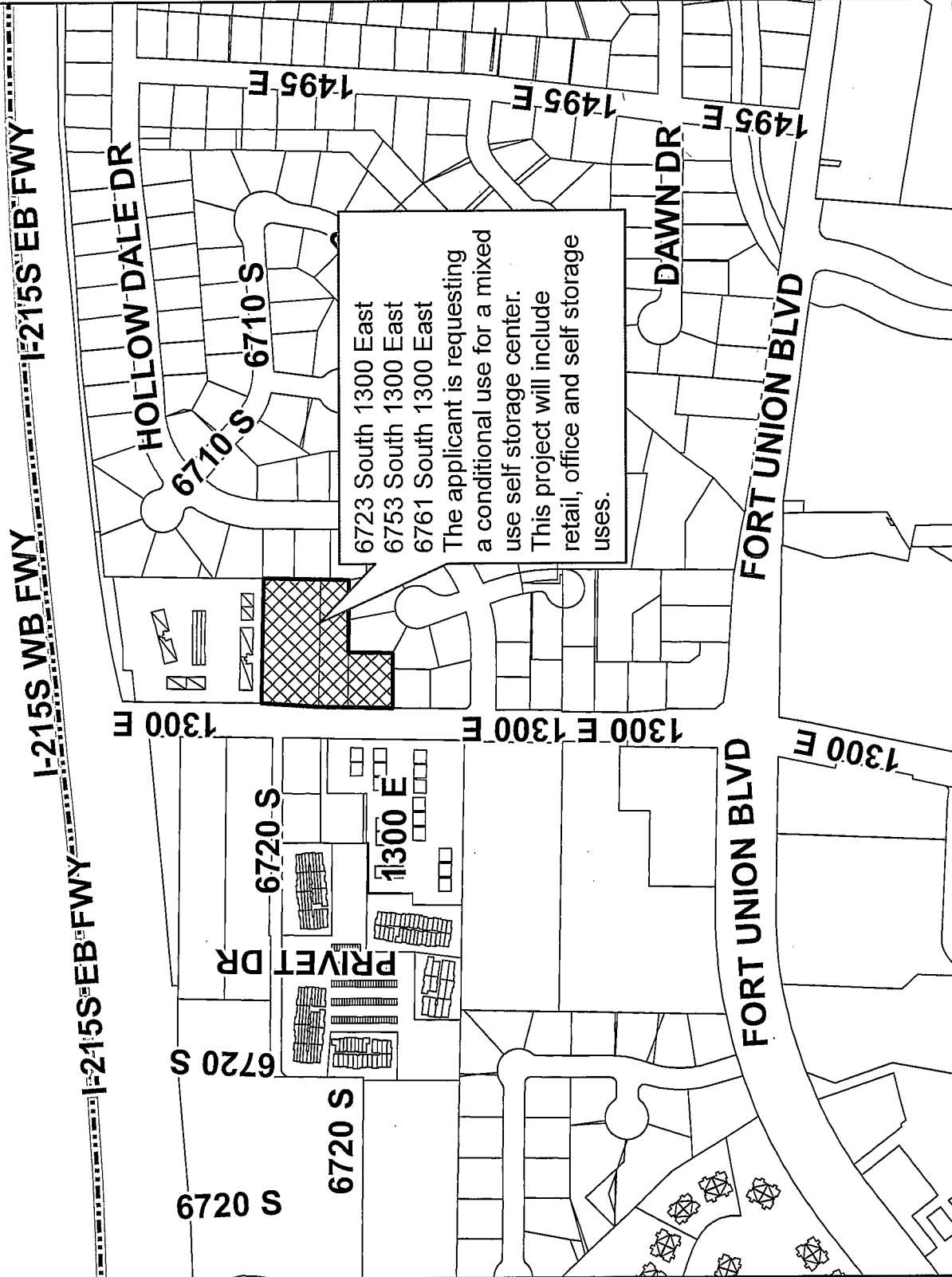
### **Staff Contact:**

Morgan Brim – Planner  
Phone: 944-7065  
Fax: 944-7005  
Email: [mbrim@cottonwoodheights.utah.gov](mailto:mbrim@cottonwoodheights.utah.gov)

**List of Attachments:**    **Map of the Property**  
                                  **Public Notice**  
                                  **Site plan**  
                                  **Landscape plans**  
                                  **Elevations**  
                                  **Letters from the public**



Published:  
October 22, 2008





## NOTICE OF A PUBLIC HEARING

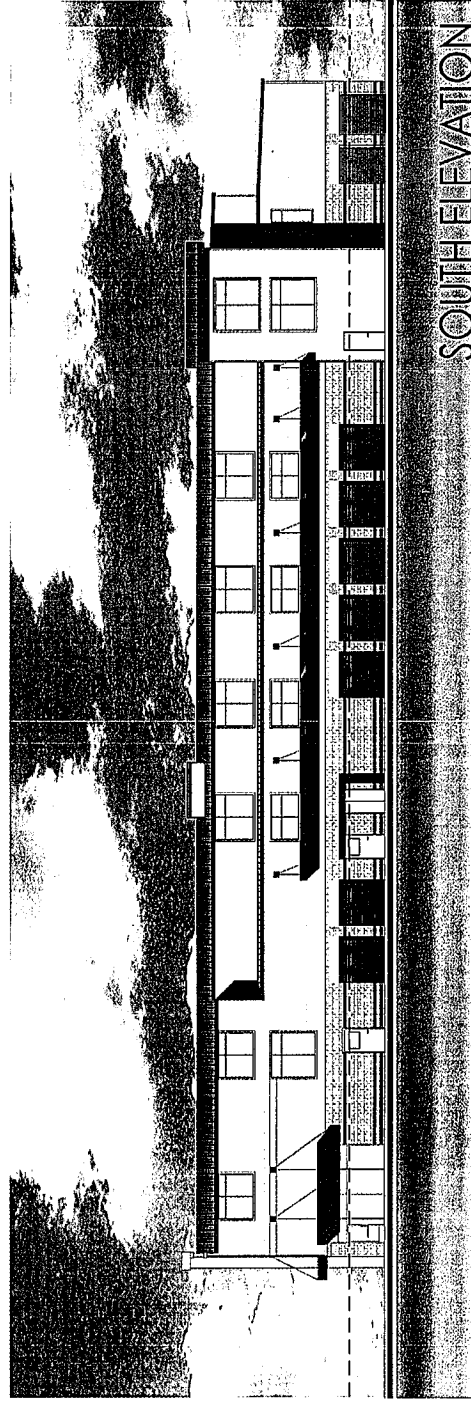
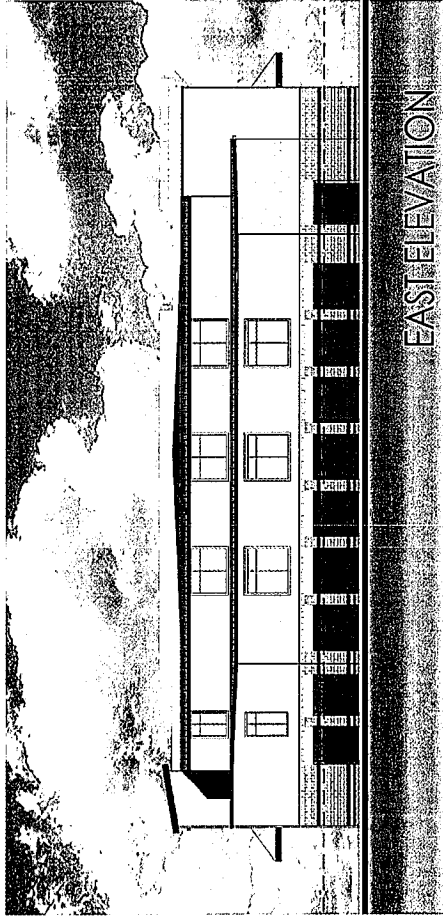
Notice is hereby given that the Cottonwood Heights Planning Commission will hold a public hearing to receive comments on a request from Dan Nixon, for a conditional use permit. The applicant is requesting approval for a mixed-use project containing retail, office and urban self-storage on property located at 6723 South 1300 East, Cottonwood Heights, UT. (Cubes Self-Storage). The property is 1.64 acres in size and is zoned Mixed Use. The current Land Use on the property is Mixed Use.

The hearing will be held at Cottonwood Heights City Office, 1265 East Fort Union Blvd., Suite 300, on March 04, 2009, at 7:00 p.m. or as soon thereafter as the matter can be heard. Inquiries should be directed to Morgan Brim at 944-7000.

ATTEST:     Linda Dunlavy  
                 City Recorder







# CUBES SELF STORAGE - RETAIL

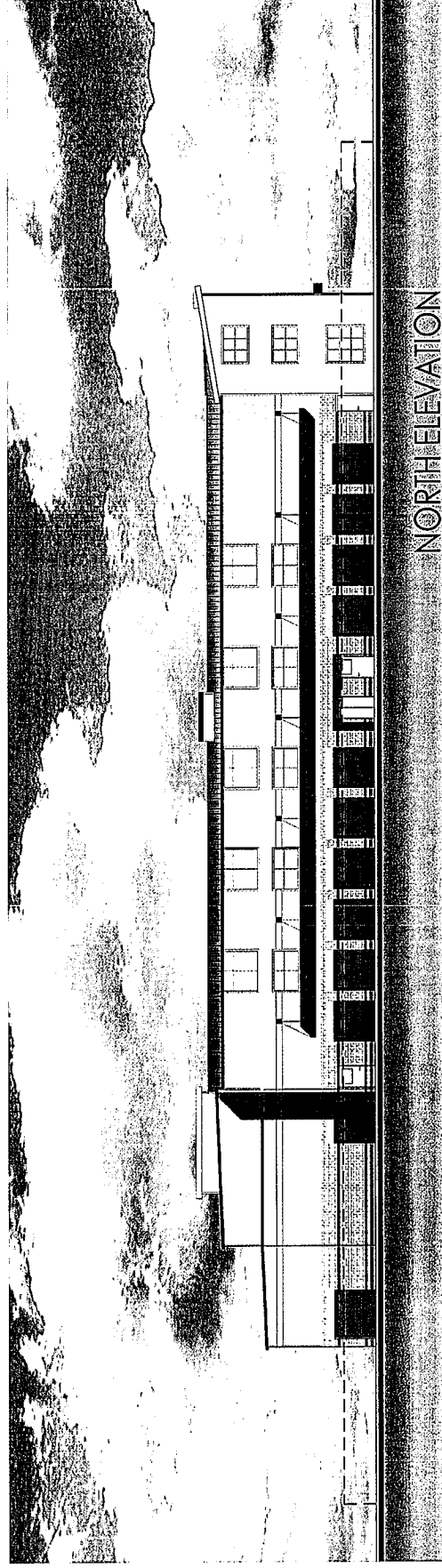
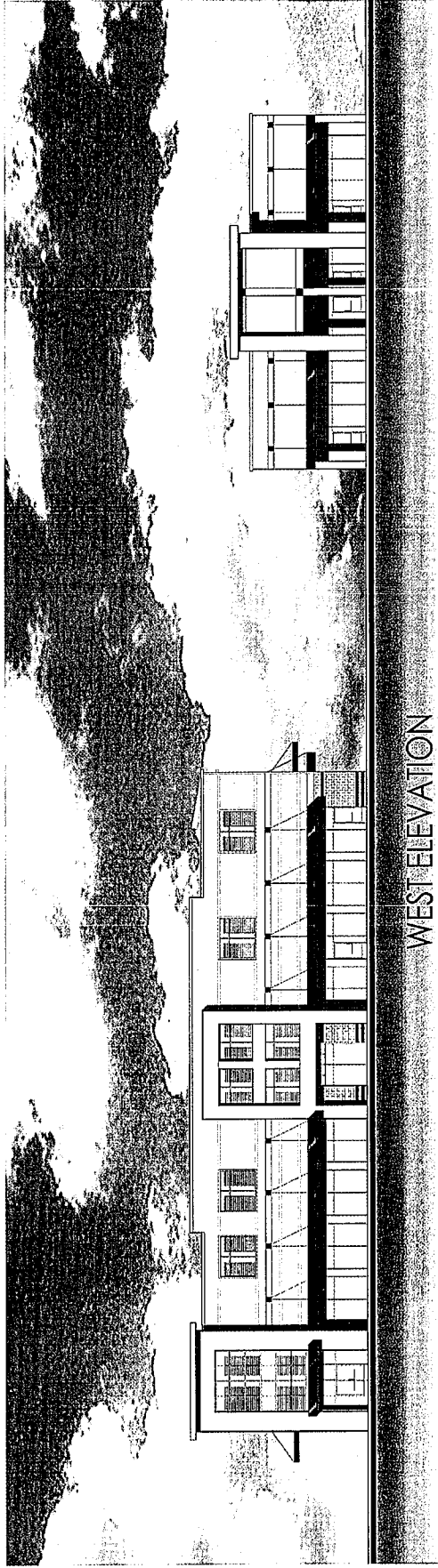
## COTTONWOOD HEIGHTS, UT

### ELEVATIONS

08-203-1231-08  
02/23/08  
02/23/08

SCALE 1" = 10'-0"





CUBES SELF STORAGE - RETAIL  
COTTONWOOD HEIGHTS, UT

ELEVATIONS

08-230 12.31.09

SCALE 1" = 16'-0"

02/23/09





Monday, December 01, 2008

Mayor Kelvyn Cullimore  
Cottonwood Heights City Hall  
1265 E. Fort Union Blvd. #250  
Cottonwood Heights, Utah 84047

Dear Mayor Cullimore,

It has come to my attention that there is an office building/storage facility proposal on the table for the property located at 6753 and 6761 South 1300 East in Cottonwood Heights. My business is located at 6965 Union Park Center #160 and I would love to have a storage facility that close.

I have seen the renderings for this building which I found to be visually attractive. I love the concept of the storage in the rear, so you don't even know it's there. My business rents a storage unit currently and I would sure like to have one that is more convenient. The best thing about the storage units is that is has little traffic to and from it. For example, we go to our office's storage unit about 3-4 times per year.

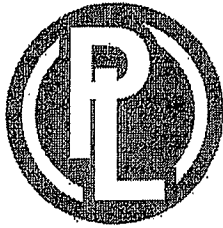
I know that 1300 East is a busy street, so finding a business that doesn't require lots of in and out of the parking lot is great. Hats off to the person who thought of this idea! It's out of the box and wonderful use of space.

I certainly hope that your office will approve the use of this site for this purpose.

Thanks,

A handwritten signature in black ink, appearing to read 'Lee H. Stern'.

Lee H. Stern  
Team Leader  
Utah Regional Director  
801-858-3105



**PREFERRED  
LENDING**

Utah's Preferred mortgage lender

6707 South 1300 East #200  
Salt Lake City, UT 84121  
Phone: 801-450-3362  
Fax: 801-942-7233


December 8<sup>th</sup>, 2008

To whom it may concern;

I am writing this letter in regards to the Cube Self Storage Retail Office space that is being proposed to the city to be built at 6701 S. 1300 E. As a business owner located close to the proposed project I have no objection to the construction on the proposed project.

If you have any questions regarding our stand on this please do not hesitate to contact me.

Sincerely,

  
Allen Rowe  
President



December 1, 2008

To Whom It May Concern:

We are writing in regards to the Cube Self Storage Retail Office space that is being proposed to the city to be constructed on the property located at: 6701 South 1300 East.

As a business owner in the Cottonwood Heights City, we have no objection to the construction of the proposed project and see that it would only enhance the city and the surrounding businesses in giving them a place of convenience and retention of files.

Your prompt attention to this matter would be greatly appreciated. If you have any comments or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Mark D. Ulrich".

Mark D. Ulrich  
President

Monday, December 01, 2008

Mayor Kelvyn Cullimore  
Cottonwood Heights City Hall  
1265 E. Fort Union Blvd. #250  
Cottonwood Heights, Utah 84047

Dear Mayor Cullimore,

It has come to my attention that there is an office building/storage facility proposal on the table for the property located at 6753 and 6761 South 1300 East in Cottonwood Heights. My business is located at 6965 Union Park Center #160 and I would love to have a storage facility that close.

I have seen the renderings for this building which I found to be visually attractive. I love the concept of the storage in the rear, so you don't even know it's there. My business rents a storage unit currently and I would sure like to have one that is more convenient. The best thing about the storage units is that it has little traffic to and from it. For example, we go to our office's storage unit about 3-4 times per year.

I know that 1300 East is a busy street, so finding a business that doesn't require lots of in and out of the parking lot is great. Hats off to the person who thought of this idea! It's out of the box and wonderful use of space.

I certainly hope that your office will approve the use of this site for this purpose.

Thanks

☐Thanks,  
Lee H. Stern  
Keller Williams  
Team Leader  
Utah Regional Director  
801-858-3105

Dirk Hooiman  
6734 S. Hollow Dale Dr.  
Cottonwood Heights, Utah 84121

Cottonwood Heights City Council  
Re: Proposed Storage Facility on 13<sup>th</sup> East

December 2008-12-09

Dear Council Members,

The property directly behind my house is where the proposed storage facility is to be located. At first I was vehemently opposed to the storage facility due to the typical stereotyping of the appearance, security and traffic issues associated with a storage facility. As I prepared to "fight" the facility I engaged the investors in a heated debate with the invitation to visit Dan Nixon's storage facility in Bountiful. I went there with my "poker face" and with all of my professional training I was looking for problems. I found the following, much to my surprise:

- A professional management staff, which reflects similar values to those that I have. The management staff is well spoken which is a reflection of their level of professionalism. Incidental to this I found that the managers receive professional training and have a compensation plan with a benefits package.
- Both the office and ground appearance are neat, clean and orderly,
- The security is state of the art including digitized monitoring of the facility with 20-day retention of the security videos. Daily reports are generated of the clients and the length of time as well as physical inspections with stickers on the locks which indicate activity cross-matched with the computer generated report. In addition the customers that need off-hours access must pass a background check and have a justified reason for off-hours access.
- Additionally, I found that the investors are willing to listen to our concerns and act on them. Quite frankly, they do not have to do this. To me this is the sign of a good neighbor.
  - As they saw the vermin problem, we met at length with an exterminator and came up with a plan of action which included multiple eradications of the "voles" both on the property and the adjoining properties. The first eradication by the exterminator took place last week, with the subsequent three eradications next spring.
  - We expressed concerns about windows on the back side overlooking our properties and with the Architectural Review Committee identified several alternatives that are yet to be finalized.
  - We have a meeting to discuss the material for the exterior and what would be aesthetically pleasing for us.

- Additionally the property will have a beautiful fence and landscaping adjoining our properties and again this is not necessary to do so.
- Finally, the storage facility with the security system will act as a buffer to access from 13<sup>th</sup> East. This will minimize the traffic and noise to the adjoining properties providing added security to our properties. As an example a series of restaurants could be put there in its place. The traffic volume would increase significantly and the noise would increase proportionally. The fence separating the properties very likely would not be as aesthetically pleasing with any "hooligan" access to jump over the fence into our backyard. The security system with limited access would minimize these issues.

In my opinion the use of this property as a storage area provides the best security and noise control for the adjoining properties. We have had numerous discussions raising our concerns and issues with the investors. In turn they have actively engaged us in discussions and have been willing to negotiate with us to address our concerns. As a result I personally welcome them as a good neighbor and look forward to a long-standing relationship. I feel very sure that as future concerns arise that they will continue to be as responsive as they have.

Kind Regards,

Dirk Hooiman



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Item: 3.2 - Public Hearing: The Planning Commission will receive a staff presentation and hear comments regarding an amendment the land use map of the general plan at the Highland Frontage Road from 6630 S. to 6850 S.

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Staff has been working with the ARC for some time now to determine an appropriate land use mix for properties located along the Highland Frontage Road from 6630 S. to 6850 S. Staff has proposed a land use plan for the area and has presented that to the ARC; however, the ARC recommendation and the recommendation of staff vary slightly.

As was discussed previously, there has been an effort to address traffic issues related to this area as well. We have an engineered plan to present to the PC that will, in staff's opinion, address the traffic issues referenced.

For your information, I am including in this report maps of the current land use map of the area as well as a current zoning map. With regard to the proposed changes, those will be presented in the Planning Commission Public Hearing. I feel it is better to present the proposed changes in the meeting as more detail can be relayed to the PC and public via audio visual and it should cut down on confusion between the ARC proposal and staff's (the two are very similar).



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Item: 4.1 - The Planning Commission take action on a request by Dan Nixon for a conditional use permit for a mixed use development containing self-storage, office and retail uses. This property is located at 6723 South 1300 East, Zoned MU.

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Please refer to item 3.1.

Cottonwood Heights Planning Department  
1265 East Fort Union Blvd. Ste. 250  
Cottonwood Heights, UT 84047  
Telephone 801-545-4154  
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## Memorandum

To: Cottonwood Heights Planning Commission  
From: Michael A. Black, AICP – Planning Director  
Date: February 27, 2009  
Subject: Amended 2009 Calendar of Planning Commission Meetings

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Please review the following updated dates for meetings in 2009.

March 4, 2009	August 5, 2009
March 18, 2009	September 2, 2009
April 1, 2009	October 7, 2009
May 6, 2009	November 4, 2009
June 3, 2009	December 2, 2009
July 15, 2009	

These dates reflect meeting once per month for the rest of the year, except for this month where we have found it is necessary to meet twice. If, in the future, there is appears to be a need for two meetings in one month I will talk with the PC chair and he will decide if there is justification for an extra meeting.



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Item: 5.1 - The Planning Commission will discuss an application for a text amendment to the O-R-D zone. The applicant Steve Hopkins, is proposing to modify the maximum allowed height for structures in the O-R-D zone.

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Just recently, the City received a request by the owners of the Old Mill Corporate Center (Beckstrand and Associates) to modify the maximum height regulation of the ORD zone. The request is to modify the height from a maximum of six stories to 12 stories and would likely be specific to the Old Mill Corporate Center.

As this is such a significant request for a change to the code, after meeting with staff initially, we recommended that the potential applicant meet with the City Council to discuss the change. We suggested this meeting as this is a legislative decision and the Council will ultimately make the decision on the matter after the Planning Commission make their recommendation. The Council met to discuss the item in January, a meeting in which Gordon Nichol of the Planning Commission was in attendance. The Council listened to a presentation by Steve Hopkins of Beckstrand and Assoc. (at that time there was no formal application) and reviewed the potential aesthetic and traffic impacts this change would have on the community.

Accompanying Mr. Hopkins at that meeting was Joe Perrin, a traffic engineer, and Peter Brunjes, an architect. Each of the men took a few minutes to discuss their research into the potential impacts of aesthetics and traffic. At the end of the presentation, the City Council and Mr. Nichol were able to discuss the concept for a 12 story building further. As you may recall, staff reported on this meeting in the February 4, 2009 Planning Commission meeting.

This discussion item, scheduled for March 4, 2009, is patterned similarly to the previous City Council meeting that was described above. The difference here being that there is actually an application for an ordinance amendment where before there was only talk of one.

Staff expects that the applicant will make a presentation to the Planning Commission touching on their reasons for the request, the justification as well as potential mitigation strategies to address the obvious detrimental effects of taller buildings in the ORD zone. Staff will follow up in two weeks with a presentation on the findings of our research into the appropriateness of the proposed change and an official recommendation based on the findings.

I am attaching a letter received at the time the application was made by Steve Hopkins.



BECKSTRAND  
& ASSOCIATES

February 9, 2009

Cottonwood Heights Planning Commission  
1265 East Fort Union Blvd  
Suite 250  
Cottonwood Heights, UT 84047

Re: Request to raise ORD Zoning Ordinance Height Restrictions to 12 Stories

Dear Commissioners:

I am writing to formally request a change in your ORD zoning ordinance height restrictions. We have a property at approximately 6330 South 3000 East (the "Property") that is currently in the ORD zone. My understanding is that the current zoning limits the height of any office building to six stories. For the reasons outlined below, I respectfully request that you raise the height restrictions on our property to 12 stories.

1. Our location is particularly well-suited for a taller building.
2. Building taller allows us to better meet LEED requirements for efficiency and sustainability.
3. There is significant demand for additional office space in this submarket.
4. A larger building helps the cottonwood submarket compete for national tenants with downtown Salt Lake City.
5. We are far from residential areas so the building would not be visually detrimental or affect traffic in any residential area.
6. We have already mitigated the traffic impacts that such an increase would require by building an exit road to the west side of the freeway on 6200 South.
7. Numerous other cities in the valley have already recognized the benefit of allowing taller buildings.
8. Good land use planning principles eliminate suburban sprawl and the "cookie cutter" sameness of buildings by allowing for variation in building height.
9. We do not ask for government subsidy through RDA or other mechanisms. As a result, our building will support city government and the new school district with a large property tax bill just as our existing buildings do.

I would be delighted to discuss any of these issues and all other questions or concerns that you may have in considering our request.

Best Regards,

Steven Hopkins  
President, Beckstrand & Associates

RECEIVED

FEB 14 2009

COTTONWOOD HEIGHTS  
COMMUNITY DEVELOPMENT

6322 SOUTH 3000 EAST #120  
COTTONWOOD HEIGHTS, UT 84121  
PHONE (801) 944-7722  
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1                                   **MINUTES OF THE COTTONWOOD HEIGHTS CITY**  
2                                   **PLANNING COMMISSION MEETING**

3  
4                                   **Wednesday, February 4, 2009**

5                                   **7:00 p.m.**

6                                   **Cottonwood Heights City Council Room**  
7                                   **1265 East Fort Union Boulevard, Suite 300**  
8                                   **Cottonwood Heights, Utah**  
9

10 ***ATTENDANCE***

11  
12 **Planning Commission Members:**

13  
14 Gordon Nicholl, Chairman  
15 Geoff Armstrong  
16 Perry Bolyard  
17 J. Thomas Bowen  
18 Doug Haymore  
19 Jim Keane  
20 Amy Rosevear  
21

**City Staff:**

Michael Black, Planning Director  
Morgan Brim, Planning Technician  
Shane Topham, City Attorney  
Brad Gilson, City Engineer

22 **BUSINESS MEETING**

23  
24 **1.     WELCOME/ACKNOWLEDGEMENTS – Chairman.**

25  
26 Chairman Gordon Nicholl called the meeting to order at 7:02 p.m. Procedural issues were  
27 reviewed.  
28

29 **2.     CITIZEN COMMENTS**

30  
31 (19:02:55) There were no citizen comments.  
32

33 **3.     PUBLIC HEARINGS**

34 **There are no public hearing items on the agenda.**  
35

36 **4.     ACTION ITEMS**

37 **There are no action items on the agenda.**  
38

39 **5.     DISCUSSION ITEMS**

40 **5.1   The Planning Commission will continue discussion on a staff proposal to commence a**  
41 **City-initiated zone change from MU (Mixed Use) to R-1-6 (Single-Family Residential)**  
42 **or R-2-8 (Duel Residential Family). This property is located at 7350 South Wasatch**  
43 **Boulevard and is also known as Lot 2 of the Wasatch Gates Minor Subdivision.**  
44

45 (19:50:00) Mr. Black stated that staff was still working on the above item and looking at the  
46 various options. No new proposals had been received from the developers. The matter was,  
47 however, still on the Planning Department's agenda for review.

1   **5.2   The Planning Commission will review and discuss a modified concept plan for**  
2   **amending the General Plan at Highland Drive between Meadow Drive and 6850**  
3   **South. Staff will update the Planning Commission on studies conducted by various**  
4   **City departments and the Architecture Review Commission regarding rerouting of**  
5   **streets, land use designation, traffic mitigation, and street beautification/aesthetics.**  
6

7   (19:24:18) With regard to the above matter, Commissioner Keane was uncomfortable splitting the  
8   north and south sides. The Commission had had discussions about property that is more  
9   affordable and it was suggested that perhaps the area could count toward the City's low-cost  
10   housing requirement. He was not comfortable making changes simply to bail out a company. If  
11   the City were to pursue this type of plan, Chair Nicholl would not want to see something  
12   developed that is similar to what exists on 3500 East and Bengal Boulevard where there are  
13   duplexes next to commercial uses. Commissioner Haymore agreed and stated that the situation  
14   referred to is not conducive to good quality living. Mr. Black referred to the area near the frontage  
15   road on Highland Drive near LaCresta and stated that the living conditions there are not desirable  
16   there either.

17  
18   Commissioner Rosevear thought a brownstone-type look would be attractive and well received by  
19   the neighbors. She commented that a slightly taller building would also reduce the noise from  
20   Highland Drive. In addition, a small amount of residential office would facilitate the walk for  
21   pedestrians going to the retail area.

22  
23   (19:28:26) Commissioner Armstrong commented that Highland Drive is the main artery through  
24   the center of the City. Over the years it has been converted to commercial. The area discussed  
25   has its own side road and he did not think the owners should be deprived of property enhancement  
26   by keeping the zoning residential. His preference was to see it as a single zone. Commissioner  
27   Haymore agreed and thought the area was conducive to residential office. In his opinion, the  
28   dental office is the most attractive property on the street. He did not consider it to be a detriment  
29   to the gateway into the City. Similar types of buildings would not be a detriment and instead  
30   enhance the City.

31  
32   (19:31:32) Eric Felt identified himself as the owner of property at 6800 South Highland Drive. He  
33   hoped to get an official recommendation from the Commission to go to the City Council. Mr. Felt  
34   was informed that that would not happen tonight. Chair Nicholl informed Mr. Felt that he could  
35   get a sense of how the Planning Commission feels. Commissioner Bowen explained to Mr. Felt  
36   that the discussion did not pertain only to his property. The goal of the Commission was to do  
37   something that fits with the entire neighborhood, which could take time. It seemed to Mr. Felt that  
38   the southern half had been developed piecemeal with a dental office intermingled among  
39   residences and a group home. If his property and two others to the south were zoned residential  
40   office the area would be more homogenous and an improvement to the City. Commissioner  
41   Bowen referred to the north side of Fort Union Boulevard and stated that on the north side there  
42   are four homes zoned commercial that are an eyesore. He did not want something similar to  
43   happen in the proposed area.

44  
45   Chair Nicholl described the procedures to Mr. Felt and stated that staff typically presents the  
46   Commission with a formal presentation at which time the Commission makes a recommendation.  
47   Commissioner Bowen indicated that he was more inclined to look favorably on a proposal that is  
48   part of a package and he thought Mr. Felt had made progress over the past few months. Mr. Black  
49   suggested another public hearing be held at the March 4 meeting. Commissioner Bowen preferred

1 to see a proposal for the entire area. Mr. Black offered to present the Commission with options  
2 and put together a layout showing potential configurations. Commissioner Bowen hoped to see  
3 pressure put on the ARC to also modify the south side. Commissioner Haymore was in favor of  
4 the Commission being presented with a couple of different options. Commissioner Rosevear  
5 stated that her main concern had to do with traffic circulation. She asked that staff address traffic  
6 circulation with each option.

7  
8 City Engineer, Brad Gilson, reported that traffic counts were performed in the LaCresta/Highland  
9 Drive area. Based on existing traffic counts, trips generated from the neighborhood at the  
10 intersection were found to be approximately 230 trips per day. He explained that 230 trips are  
11 generated daily by the hatched area shown on the map along the front. If the area is rezoned, the  
12 proposed zoning will generate approximately 1,000 trips per day or an additional 78 p.m. peak  
13 hour trips in both directions. If that number were divided in two it would equate to less than one  
14 car every minute in each direction during the peak hour. The numbers were put into a traffic  
15 model and found to be insubstantial. He explained that that amount of traffic would be  
16 insignificant relative to the frontage road, the amount of traffic generated, and what was expected  
17 to be generated in the future. He commented that the problem is due to the amount of traffic on  
18 LaCresta and that the amount of traffic generated in the neighborhood relative to the number of  
19 cars on LaCresta is disproportionate. Counts on LaCresta were determined to be 2,400 cars per  
20 day versus the number of cars generated on the frontage road.

21  
22 Mr. Gilson explained that there is only one existing substantial generator of traffic today, which is  
23 the preschool. He noted that the preschool does not generate traffic during p.m. and a.m. peak  
24 periods but rather periodically throughout the day. The preschool was estimated to generate 50  
25 trips per day; 25 in and 25 out. Mr. Gilson explained that the LaCresta intersection, both now and  
26 after a potential rezone, operates at a level of service B. He noted that it is an obscure intersection  
27 that is on the City's master plan to address and reconfigure geometrically. In addition, it takes  
28 only one car turning left to block the frontage road. During rush hour a number of cars back up  
29 and make movement from the frontage road back onto Highland Drive very difficult. There were  
30 various options available to mitigate that; the best option being to realign the intersection.

31  
32 (19:43:30) Mr. Gilson reported that staff also analyzed the speeding problem and performed traffic  
33 counts and found that LaCresta averaged 85<sup>th</sup> percentile about 31 miles per hour on a 29-foot road.  
34 Highland frontage was 34 miles per hour with 42 feet of asphalt and is designed for higher speed  
35 traffic based on its sight distance and the way it is striped. Mr. Black stated that people were  
36 already traveling too fast at 31 miles per hour on a road with a 25 mile per hour speed limit.  
37 Mr. Gilson commented that there are other solutions for the intersection such as resignalizing the  
38 frontage road in conjunction with Highland Drive. He remarked that this segment of Highland  
39 Drive is the most heavily utilized arterial in the City from a counts perspective. At peak times,  
40 80,000 cars per day travel through the area. Installing a signalized intersection to accommodate  
41 the frontage road increases the amount of signal time that is cycled through at the intersection.  
42 Anything that can be done to give precedence to the mass commuter traffic will be beneficial. A  
43 traffic study was recently performed and Mr. Gilson was eager to make major infrastructure  
44 improvements to the City's transportation system; however, he found that the major problem was  
45 that Highland Drive has poor lane utilization. Simply adding another lane will not help with the  
46 constraints at the intersection. Mr. Gilson believed the best solution was to realign the frontage  
47 road. Staff would continue to look at other options and coordinate with Public Works to establish  
48 traffic calming options on LaCresta.

1 Commissioner Rosevear suggested there be a buffer if the road is realigned. She stated that the  
2 neighbors will not be happy with a street behind their homes instead of residences. Mr. Black  
3 stated that the intent was to install 15 feet of landscaping between the homes and the road.  
4

5 Staff agreed to schedule the matter for a public hearing on March 4.  
6

## 7 **6. PLANNING DIRECTOR'S REPORT**

8

9 (19:03:12) Mr. Black stated that staff recently researched upcoming Planning Commission  
10 reappointments and found that there are three Commission Members whose terms expire the end  
11 of June. All had served two terms with the first being a half term that counted as one term. He  
12 explained that the term limits are two. The three Members whose terms were expiring were  
13 identified as Gordon Nicholl, Geoff Armstrong, and Jim Keane. Mr. Black wanted to officially  
14 thank them for their efforts.  
15

16 In response to a question raised, he explained that originally three members served a half term so  
17 that all members did not come up for reappointment the same year. The recollection when Chair  
18 Nicholl was elected was that he would be able to serve the whole year. City Attorney, Shane  
19 Topham, thought it would be appropriate to reopen nominations for officers based on the terms so  
20 that terms are consistent with when members are added and leave the Commission. Commissioner  
21 Bowen agreed and suggested officers either be appointed in January or June so that whoever is  
22 new to the Commission is included. Mr. Black suggested possibly changing the dates that officers  
23 serve to be from July 1 to June 30. At a minimum nominations will have to be reopened and new  
24 officers elected. Mr. Black stated that the rules would have to be modified prior to the matter  
25 being put on the agenda. One option would be to reelect officers now and then again around June  
26 30. Another option would be to wait until June 30 and do it once in which case the person elected  
27 would serve through the year. Chair Nicholl's recollection was that the Chair and Vice Chair have  
28 to be elected by the second meeting in February. Mr. Topham wanted to have the opportunity to  
29 elect officers who can complete their terms.  
30

31 (19:08:57) Commissioner Bowen was of the opinion that the Commission is wasting time and  
32 money by meeting twice per month. He suggested the Commission meet once per month until  
33 there is enough work to justify two meetings. It was recommended that perhaps from now until  
34 July the second meeting of the month be cancelled. If necessary, a special meeting can be  
35 scheduled. Commissioner Keane agreed but suggested that meetings be cancelled on a month-by-  
36 month basis depending on projects coming forward. Mr. Black stated that one zone change is  
37 coming forward for which a public hearing was scheduled for the first meeting in March. In  
38 addition, the self-storage conditional use would also be ready for discussion at the same meeting.  
39 The two were the only active applications. Staff had other applications, however, they were  
40 inactive. Typically staff knows one or two months in advance what projects are coming forward.  
41 Commissioner Keane stated that another option would be to have an understanding that the second  
42 meeting of the month won't occur unless there are items up for discussion. Mr. Black's preference  
43 was to plan on one meeting per month unless there is a need for a second meeting. Commissioner  
44 Keane wanted to maintain flexibility.  
45

46 Mr. Black stated that on March 4 an item will be on the agenda for a possible amendment to the  
47 Planning Commission Meeting Schedule. The consensus of the Commission was to cancel the  
48 second meeting in February.  
49

1 (19:15:23) Mr. Black reported on the Beckstrand and Old Mill Corporate Center item discussed at  
2 the last City Council Meeting. He stated that approximately two years ago an office building was  
3 approved for Old Mill IV. With that came a parking structure. Currently, the parking structure is  
4 under construction but the office building is not. Staff had heard rumors that the applicants may  
5 want to explore an amendment with the City to allow the height of the office building to be  
6 increased. Staff found out for certain that the applicants plan to explore that option and they  
7 attended the most recent Council Meeting at Mr. Black's suggestion. Mr. Black explained that  
8 even though an ordinance amendment starts with the Planning Commission, because it is a  
9 legislative decision and something the Council will hear about from bordering cities and  
10 constituents, the Council should be informed and give their input since they will have the ultimate  
11 decision.

12  
13 The applicants proposed to increase the six-story building to 12 stories. The proposed building is  
14 next to the freeway and drawings and pictures were presented at the Council Meeting. Mr. Black  
15 suggested the Commission give the applicants an opportunity to explain their proposal. The  
16 Council thought the plan was worth looking into. Mr. Black stated that the building looks nearly  
17 identical to the proposed six-story building but is twice as tall. Traffic impacts were studied and  
18 the applicants were able to mitigate potential impacts. The applicants would start work on a third  
19 left hand turn lane at the 3000 East 6200 South traffic light, which needs to be done regardless.  
20 The Council recommended getting public input and participating in more discussion on the  
21 proposal. Mr. Black explained that the developer was in the process of contacting neighborhood  
22 groups and potentially making application for a code amendment. He explained that the developer  
23 wanted to begin construction on the building in the Spring of 2010.

24  
25 Chair Nicholl stated that the Planning Commission should be prepared for something to come  
26 forward from the developer. He stated that the building height, traffic, and other issues will have  
27 to be dealt with at some point in the future. Mr. Black's initial reaction was that the project looked  
28 favorable. He noted that the architect, who is trying to sell the project to the developer, drew up  
29 the renderings. The two issues the developer wanted to address immediately were aesthetics and  
30 traffic.

31  
32 **7. APPROVAL OF MINUTES**

33 **7.1 January 7, 2009**

34  
35 (19:50:43) *Commissioner Haymore moved to approve the minutes of January 7, 2009.*  
36 *Commissioner Rosevear seconded the motion. Vote on motion: Gordon Nicholl-Aye, Geoff*  
37 *Armstrong-Aye, Perry Bolyard-Aye, J. Thomas Bowen-Aye, Doug Haymore-Aye, Jim Keane-*  
38 *Aye, Amy Rosevear-Aye. The motion passed unanimously.*

39  
40 **8. ADJOURNMENT.**

41  
42 (19:50:50) *Commissioner Bowen moved to adjourn. Commissioner Rosevear seconded the*  
43 *motion. Vote on motion: Gordon Nicholl-Aye, Geoff Armstrong-Aye, Perry Bolyard-Aye, J.*  
44 *Thomas Bowen-Aye, Doug Haymore-Aye, Jim Keane-Aye, Amy Rosevear-Aye. The motion*  
45 *passed unanimously.*

46  
47 The Planning Commission Meeting adjourned at 7:51 p.m.

1 I hereby certify that the foregoing represents a true, accurate and complete record of the  
2 Cottonwood Heights City Planning Commission Meeting held Wednesday, February 04, 2009.  
3  
4  
5

6   
7  
8

9 Teri Forbes  
10 T Forbes Group  
11 Minutes Secretary  
12  
13

14 Minutes approved:

DRAFT